

CHAPTER NO. 910

SENATE BILL NO. 2415

By Dixon

Substituted for: House Bill No. 2517

By Brooks, Arriola, Cooper, Towns, Larry Miller

AN ACT To amend Tennessee Code Annotated, Title 4, Chapter 7, Part 1; Title 6, Chapter 54 and Title 8, Chapter 8, Part 2, relative to law enforcement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. It is the intent of the General Assembly that the provisions of this act shall serve as a permissive pilot project and as such shall apply to the Tennessee Highway Patrol and any municipal police department or sheriff's department whose commissioner, safety director, chief or sheriff notifies the Comptroller of the Treasury by September 1, 2000, of it's willingness to participate in such project.

SECTION 2. (a) Commencing on January 1, 2001, and continuing through the calendar year, the highway patrol and each municipal police department and sheriff's office to which this act applies, using the form developed and promulgated pursuant to subsection (d) of this section, shall record and retain the following information:

(1) The number of persons stopped for traffic violations;

(2) Characteristics of race, color, ethnicity, gender and age of such persons, provided the identification of such characteristics shall be based on the observation and perception of the law enforcement officer responsible for reporting the stop and the information shall not be required to be provided by the person stopped;

(3) The nature of the alleged traffic violation that resulted in the stop;

(4) Whether a warrant or citation was issued, an arrest made or a search conducted as a result of the stop; and

(5) If a search was conducted, the type of search and the legal basis for that search, and whether contraband was discovered and property was seized.

(b) The highway patrol and each municipal police department or sheriff's office to which this act applies shall begin submitting such data and information to the Comptroller of the Treasury on a monthly basis, beginning not later than February 1, 2001, by submitting or electronically transferring a copy of the form prescribed by the Comptroller.

(c) Any law enforcement officer who in good faith records traffic stop information pursuant to the requirements of this section shall not be held civilly liable for the act of recording such information.

(d) The Comptroller shall, within the limits of existing resources, provide for a review of the prevalence and disposition of traffic stops reported pursuant to this section and develop and promulgate a form, in both printed and electronic format, to be used by law enforcement officers to which this act applies when making a traffic stop to record personal identifying information about the operator of the motor vehicle that is stopped, the location of the stop, the reason for the stop and other information that is required to be recorded pursuant to subsection (a) of this section. Not later than April 1, 2002, the Comptroller shall report to the Governor and General Assembly the results of such review, including any recommendations.

(e) The provisions of this act shall be in effect from the effective date of this act until July 1, 2002.


SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 6, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of June 2000


DON SUNDQUIST, GOVERNOR